

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Scott Hutchison Enterprises, Inc., et al.	:	Civil Action No. C-1-01-776
	:	
Plaintiffs	:	Judge Weber
	:	
v.	:	
	:	
Rhodes, Inc., et al.	:	<b>DEFENDANT H.T. BOGGS' NOTICE</b>
	:	<b>OF SUBMISSION OF</b>
	:	<b>SUPPLEMENTAL AUTHORITY</b>
Defendants	:	

Defendant H.T. Boggs hereby submits the recent decision of the Ohio Tenth District Court of Appeals in *Gentile v. Ristas*, 160 Ohio App. 3d 765, 2005-Ohio-2197 (Ct. App. Franklin Co. 2005), decided on May 5, 2005, as supplemental authority with respect to the parties' pending motions for summary judgment (summary judgment for seller on fraudulent inducement claim regarding sale of real estate appropriate, when; application of doctrine of *caveat emptor*; effect of inspection report on purchaser's claim).

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he served a copy of the foregoing Notice of Submission of Supplemental Authority upon the following counsel of record electronically or by regular United States mail, postage prepaid this 28th day of June, 2005.

/s/ Thomas R. Schuck

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